

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

DEBORAH A. PARKER,

Plaintiff,

vs.

COMMISSIONER SOCIAL SECURITY,

Defendant.

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CASE NO. 5:16-CV-278

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On February 5, 2016, Plaintiff Deborah A. Parker filed a complaint seeking judicial review of the Defendant Commissioner of Social Security's decision to deny her non-disability retirement income benefits.¹ The Court referred the matter to Magistrate Judge William H. Baughman, Jr.

On May 5, 2017, Magistrate Judge Baughman issued a Report and Recommendation ("R&R") recommending that this Court affirm the Commissioner's decision.² Magistrate Judge Baughman found that because Plaintiff Parker never submitted a brief in support of her claim despite multiple extensions, an "obvious error" standard applies to her case.³ Magistrate Judge Baughman found no obvious error in the denial of benefits.⁴

On May 26, 2017, Plaintiff Parker requested an extension to file objections to the R&R so that she could hire a lawyer.⁵ The Court granted the extension.⁶

¹ Doc. [1](#).

² Doc. [36](#).

³ *Id.* at 6.

⁴ *Id.* at 7-8.

⁵ Doc. [37](#).

⁶ Doc. [38](#).

Objections were due June 30, 2017. Plaintiff Parker neither retained counsel nor filed objections.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection.⁷ Failure to timely object waives a party's right to appeal the magistrate's report.⁸

Absent objection, a district court may adopt the magistrate judge's report without review.⁹ Moreover, having conducted its own review of the complaint and record, the Court agrees with the conclusions in the Report and Recommendation.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Baughman's Report and Recommendation and incorporates it fully herein by reference, and **DISMISSES** Plaintiff Parker's complaint.

IT IS SO ORDERED.

Dated: July 3, 2017

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁷ 28 U.S.C. § 636(b)(1)(C).

⁸ *Thomas v. Arn*, 474 U.S. 140, 145 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

⁹ *See Thomas*, 474 U.S. at 149.